

NOTICE OF SUBSTITUTE TRUSTEE'S SALE OF REAL ESTATE

WHEREAS, on January 28, 2014, DAVID G. GAITHER, deceased, by Commercial Deed of Trust of record in Trust Deed Book 632, at Page 255, in the Register's Office of Carroll County, Tennessee, conveyed the following described property in trust to secure the payment of a Promissory Note in the original principal amount of Five Hundred Sixty Thousand and 00/100 Dollars (\$560,000.00), payable to Centennial Bank f/k/a Farmers & Merchants Bank; and

WHEREAS, the undersigned was appointed Substitute Trustee by Centennial Bank, which appointment will be recorded in the Register's Office of Carroll County, Tennessee prior to the deed evidencing this sale; and

WHEREAS, default has been made in the payment of said indebtedness and other provisions of the Deed of Trust have been violated, and Centennial Bank, the lawful owner and holder of the said indebtedness, has declared the entire amount due and payable as provided by the Deed of Trust in accordance with the terms thereof, and instructed the undersigned to foreclose.

NOW, THEREFORE, the public is hereby notified that the undersigned Substitute Trustee will sell the hereinafter described real estate at public auction, to the highest and best bidder, for cash in hand paid, at the east door of the Courthouse at Huntingdon, Carroll County, Tennessee, on Thursday, December 5, 2019, at 10:00 o'clock a.m., said property to be sold in bar of the equity of redemption and subject to the lien of all special assessments against it. If the highest bidder cannot pay the bid within a reasonable time to be announced at the sale, the next highest bidder will be deemed the successful bidder.

Lying, and being situate in the 4th Civil District of Carroll County, Tennessee, bounded and described as follows; to-wit:

TRACT NO. ONE: BEGINNING at a stake in the south margin of Chesapeake Drive, Johnson's northwest corner; runs thence with Johnson's west line, South 13 degrees 43' 04" East 295.57 feet to a stake, Johnson's southwest corner; runs thence South 68 degrees 11' West 280 feet to a stake; thence North 21 degrees 36' 01" West 177.32 feet to a stake; thence North 38 degrees 33' East 278 feet to a stake in the south margin of Chesapeake Drive; runs thence North 80 degrees 00' East with the south margin of Chesapeake Drive, 100 feet to the point of beginning, being a five sided tract of land and being Lot No. 25 in the Hunter Chase Subdivision, a plat of which is recorded in Plat file 142A, Register's Office of Carroll County, Tennessee, as surveyed by Samuel K. Carrell, Tennessee RLS No. 606-349.

TRACT NO. TWO: BEGINNING at an iron pin on the south margin of Chesapeake Drive at Joe Chadwick, Jr. Western corner; thence S 28 degrees 27' 43" E 309.91 feet along Chadwick west line to an iron pin; thence S 70 degrees 11' W 293.67 feet to an iron pin at the SE corner of Lot #25; thence N 13 degrees 43' 04" W, 295.57 feet along east line of Lot #25 to an iron post on south margin of Chesapeake Drive; thence N 80 degrees 00' E, 107.5 feet along south margin of street to an iron pin; thence N 54 degrees 30' E, 114 feet along south margin of street to the point of beginning. Containing 1.695 acres more or less. Description taken from survey of Samuel K. Carrell, Tennessee RLS No. 349, dated November 14, 1990.

TRACT NO. THREE: BEGINNING at the southeast corner of Johnson as shown on Parcel 12.13 and Brown's southwest corner as shown on Parcel 12.19; runs thence South 70 degrees 11' W 293.67 feet to an iron pin at the SE corner of Lot #25, now owned by Johnson, Tract No. 1 described above; runs thence South 68 degrees 11' West 280 feet to a stake at the southwest corner of Lot #25, now owned by Johnson and in Nash's (Parcel 1.01) inner east line; runs thence S 21 degrees 36' 01" W along Nash's inner east line, approximately 40 feet to a stake being the southwest corner of the subject tract and in the inner east line of Nash; runs thence North 69 degrees 40' 17" East along the inner north line of Nash and continuing along the north margin of Gaither (Parcel 17 - 12.09), approximately 573.78 feet to a stake, being the southeast corner of the subject tract and the new southwest corner of Brown; runs thence North 28 degrees 27' 43" W approximately 40 feet to the point of beginning, being the northeast corner of the subject property.

(Descriptions taken from prior deed of record)

It being the same property as that described in a Warranty Deed from Jeff D. Johnson and wife, Jodie G. Johnson, to David G. Gaither, dated January 28, 2014, and of record in Warranty Deed Book 364, page 874, in the Register's Office of Carroll County, Tennessee.

Map 017, Parcel 012.13

The street address of the above described property is believed to be 220 Chesapeake Dr., McKenzie, TN, but such address is not part of the legal description of the property sold herein and in the event of any discrepancy, the legal description herein shall control.

SALE IS SUBJECT TO TENANT(S) RIGHTS IN POSSESSION, IF ANY

This sale is subject to all matters shown on any applicable recorded plat; any unpaid taxes; any restrictive covenants, easements, or setback lines that may be applicable; any statutory rights of redemption of any governmental agency, state or federal; any prior liens or encumbrances as well as any priority created by a fixture filing; and to any matter that an accurate survey of the premises might disclose. Interested parties: The Ronnell Van Swaim Irrevocable Trust and the Department of the Treasury - Internal Revenue Service.

This property is subject to Federal Tax Lien of record in Lien Book 21, at Page 92, in the Register's Office of Carroll County, Tennessee. Notice of said sale required by 26 U.S.C. § 7425(b) to be given to the Department of the Treasury Internal Revenue Service has been timely given, and said sale will be subject to the right of the Secretary of the Department of Treasury Internal Revenue Service to redeem such property as provided by 26 U.S.C. § 7425(d)(1).

This property is subject to Restrictive Covenants which run with Hunter Chase Subdivision as recorded in Deed Book 245, at Page 198, and Deed Book 271, at Page 594, in the Register's Office of Carroll County, Tennessee.

This property is subject to a Boundary Agreement between Jeff D. Johnson and wife, Jodie G. Johnson as pertains to the southern boundary of the subject property as recorded in Deed Book 364, at Page 296, in the Register's Office of Carroll County, Tennessee. Also see Deed Books 250, at Page 593; Deed Book 250, at Page 598; and Deed Book 250, at Page 600, in the Register's Office of Carroll County, Tennessee as pertains to the southern boundary of the subject properties.

Title to said property is believed to be good, but the undersigned will sell as Substitute Trustee only and will assign to the purchaser all covenants of warranty contained in said Deed of Trust.

The sale held pursuant to this Notice may be rescinded at the Successor Trustee's option at any time. Said sale may be adjourned to another time or may be postponed to another date by public announcement at the appointed time of sale without readvertisement.

This office is a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

WITNESS my signature, this the 12th day of November, 2019.

KIZER, BONDS, HUGHES & BOWEN, LLC
BY: STEPHEN L. HUGHES, Substitute Trustee
P. O. Box 320, Milan, TN 38358 • (731) 686-1198